

# TYPE II DEVELOPMENT & ENVIRONMENTAL REVIEW, STAFF REPORT & DECISION

Form DS1401 Revised 4/2/01



**Project Name:** Minnehaha Business Park

**Case Number:** PSR2002-00028; PSR2001-00009; SEP2001-00007;  
EVR2001-00004; HAB2001-00035

**Parcel Number(s):** Tax lots 12, 83 and 49 located in the SE ¼ of Section 12, Township 2 North, Range 1 East and the SW ¼ of Section 7, Township 2 North Range 2 East of the Willamette Meridian.

**Request:** Phased construction of six (6) new concrete tilt-up office/warehouse/manufacturing buildings.

**Applicant:** VLMK Engineers / Greg J. Bleggen  
3933 SW Kelly Avenue  
Portland, OR 97201  
(503) 222-4453, Fax (503) 248-9263

**Property Owner:** Erickson Enterprises, LLC  
7925 NE St. Johns  
Vancouver WA 98665

**Location:** Between NE Minnehaha and NE 68<sup>th</sup> Street East of NE 47<sup>th</sup> Avenue

**Area:** 18.3 Acres

## **DECISION**

**Approved subject to Conditions of Approval**  
**Team Leader Initials: \_\_\_\_\_ Date Issued: \_\_\_\_\_**

### **County Review Staff:**

Planner: Mitchell Kneipp, (360) 397-2375 x4178, [mitch.kneipp@co.clark.wa.us](mailto:mitch.kneipp@co.clark.wa.us)

Engineer: Richard Drinkwater, (360) 397-2375 x4492, [richard.drinkwater@co.clark.wa.us](mailto:richard.drinkwater@co.clark.wa.us)

Concurrency Staff: Shelley Oylear, (360) 397-6118, [shelley.oylear@co.clark.wa.us](mailto:shelley.oylear@co.clark.wa.us)

**Comp Plan Designation:** ML (Light Industrial)

**Zoning:** ML (Light Industrial)

**Applicable Laws:**

Clark County Code Chapters 12.05A (Transportation); 13.29 (Stormwater and Erosion Control Ordinance); 13.36 (Wetland Protection); 13.51 (Habitat Conservation); 14 (Buildings & Structures); 15 (Fire Prevention); 18.317A (Industrial Zoning District); 18.402A (Site Plan Review) and 20.06 (SEPA Environmental Checklist).

**Neighborhood Association/Contact:**

N/A

**Time Limits:**

The application was determined to be fully complete on April 4, 2002. Therefore, the County Code requirement for issuing a decision within 78 days lapsed on June 21, 2002. The State requirement for issuing a decision within 120 calendar days lapsed on August 2, 2002.

**Vesting:**

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report.

A pre-application conference on this matter was held on August 10, 2000. The pre-application was determined not contingently vested.

The fully complete application was submitted on March 26, 2001 and determined to be fully complete on March 29, 2001. Given these facts the application is vested on March 26, 2001.

**Public Notice:**

Notice of application and likely SEPA determination of non-significance was mailed to the applicant, property owners within 300 feet of the site, and agencies on April 13, 2001. (Note: This site is not located within the boundaries of a recognized neighborhood association.) Notice of the likely SEPA Determination was published in the "Columbian" Newspaper on April 13, 2001.

**Public Comments:**

Dennis R Vaughn, E-mail received May 1, 2001

Mr. Vaughn raised concerns regarding building off of NE 63<sup>rd</sup> Street increasing noise for residents of Cold Creek Estates. In addition, Mr. Vaughn has concerns relating to the wildlife that inhabits Cold Creek.

The applicant will be required to comply with the "Maximum Environmental Noise Levels" found in the Washington Administrative Code (WAC) 173-60 for Class C EDNA, or in other words, industrial uses (See Condition A-2).

The stream will remain open and undisturbed with the exception of an approximately 50' section that will be placed in a culvert to allow for vehicular access and circulation. The stream across the property is proposed to remain with existing vegetation and additional plantings are required (See the "Habitat" section below).

Karen and Scott Smith, letter dated April 30, 2001

The Smith's raised similar issues relating to the stream and habitat discussed above. In addition, they raised concerns regarding buffering between the industrial and residential zone and pollution.

Clark County Code requires specific landscape buffers and buffer types between industrial and residential zones. This proposal is providing all of the required buffers and larger buffers in some instances.

The applicant has not specified any particular future tenants for this proposal. Any future tenants will be required to comply with all Federal, State and Local regulations relating to pollution. Staff cannot assume future tenants will cause pollution and deny an application based upon such assumptions (See Conditions A-3 and A-4).

It is important to note that this site has been zoned ML (Light Industrial) since 1980, and is only now coming in for development. The neighboring residential development known as Cold Creek Estates wasn't platted until 1993; 13 years after the subject site and neighboring properties were zoned industrial.

Tony Rocci, Branch Manager of Patriot Fire Protection, letter dated May 2, 2001

Mr. Rocci asks five (5) questions relating to traffic, NE 47<sup>th</sup> Avenue, occupancy of the proposed buildings, trees and drainage. These questions are addressed, if known, below in the body of this report.

## **Project Description**

The applicant is proposing to construct 6 concrete buildings or 174,000 square feet for future industrial tenants. A wetland permit is being sought to mitigate impacts to the wetlands, as well as a habitat permit to mitigate impacts to a traversing stream. The applicant is providing required landscaping and site improvements as well as transportation and stormwater improvements.

## **Background**

The subject property consists of approximately 18.94-acres and is zoned ML (Light Industrial). Category 4 wetlands exist on the site and a wetland permit was included with the application. In addition, a type 4 watercourse known as Cold Creek traverses the property. A habitat permit was submitted with this application and additional planting requirements are being implemented as conditions.

## **Major Issues and Analysis**

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

- |                                 |  |
|---------------------------------|--|
| 1. Earth                        | 9. Housing                             |
| 2. Air                          | 10. Aesthetics                         |
| 3. Water                        | 11. Light and Glare                    |
| 4. Plants                       | 12. Recreation                         |
| 5. Animals                      | 13. Historic and Cultural Preservation |
| 6. Energy and Natural Resources | 14. Transportation                     |
| 7. Environmental Health         | 15. Public Services                    |
| 8. Land and Shoreline Use       | 16. Utilities                          |

Then staff reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code.

Staff 's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements, and, therefore, are not discussed below.

#### **LAND USE:**

##### Finding 1

No specific “commercial and/or service uses” are being proposed with this development. A note on the final site plan is required stating any future commercial and/or service use requires further review under at least a Type I Site Plan Review (See Condition A-1).

##### Finding 2

A note shall be placed on the face of the site plan stating that all uses shall comply with the maximum permissible noise levels as determined by WAC Chapter 173-60, as amended (See Condition A-2).

##### Finding 3

No specific uses have been proposed with this development. The approved uses are warehouse/manufacturing in nature along with associated offices. These uses can obtain Tenant Improvement permits through the Building Department in order to occupy available space within the park. However, if any of these uses are considered “Major Odor Sources” as listed in CCC 18.317A.090(C) a Type I Site Plan Review will be required, at a minimum, to ensure compliance with SWAPCA regulations and the best available control technology for odor control (See Condition A-3).

##### Finding 4

The venting of any odors, vapors, smoke, cinders, dust, gas, and fumes shall be at least ten (10) feet above finished grade, and directed away from residential uses within fifty (50) feet of the vent (See Condition A-4).

#### Finding 5

The proposed plan does not contain a lighting plan; therefore a lighting plan consistent with CCC 18.317A.090(D) and CCC 18.402A.060(A)(7) will be required prior to final site plan (See Condition A-5).

#### Finding 6

No outside storage areas were identified for this proposal nor were any reviewed. Should any future tenant wish to utilize an outside storage area a separate Type I Site Plan Review, at least, will be required (See Condition A-6).

#### Finding 7

CCC Table 18.402A-1 establishes the minimum buffer and landscaping requirements. This industrial site is immediately adjacent to a single-family residential zone along the entire eastern property line. According to this table industrially zoned properties that are directly adjacent to single-family residentially zoned properties have a choice of two buffer types. The first is a 50' buffer to the L4 landscaping standard, which is high wall landscaping. The second buffer choice is a 40' buffer to the L5 landscaping standard, which is high berm landscaping. The applicants are providing a 40' buffer to the L5 standard. However, in an approximately 200' area to the east of proposed building D the applicants are proposing to provide a 5-6 foot evergreen hedge in lieu of the berm. This is due to topography issues that would make a berm extremely difficult. Pursuant to CCC 18.402A.050(C)(7) the planning director can modify a landscaping standard as long as an alternative that meets the intent of the required standard is provided. In this case, the applicant is providing the required buffer width and the evergreen hedge will provide the necessary visual screening, therefore the proposed landscape plan is acceptable.

#### Finding 8

The landscaping area along the northeast portion of the site is required to have a 10' buffer landscaped to the L3 standard, which is high screen landscaping. According to the site plan more than the 10' buffer area is being provided, however it is not to the L3 standard. Again, pursuant to CCC 18.402A.050(C)(7) the planning director can modify a landscaping standard as long as an alternative that meets the intent of the required standard is provided. In this case, the applicant is providing a greater buffer width than that which is required and additional plantings are being provided. Therefore the proposed landscape plan is acceptable.

#### Finding 9

CCC 18.402A.060(D) establishes requirements for the size and number of required loading berths. Any building over 5,000 square feet is required to have at least one (1) loading berth and any building over 25,000 square feet is required to have at least two (2) loading berths. Each loading berth needs to be at least 65' in length, 12' wide and have 14' of clearance. The final site plan and landscaping plan shall be revised to show the appropriate number and size of loading berths for the buildings (See Condition A-7).

#### Finding 10

For 501-1000 parking spaces 2% of the total number of parking spaces are required to be handicap accessible parking. Based on this requirement 11 total handicap

spaces are required (2% of 526 = 10.52 rounded up to 11). These spaces should be spaced around the park so at least every building has some handicap accessible parking. On the proposed site plan buildings “C”, “E” and “F” don’t have any handicap spaces. Therefore, the final site plan and landscaping plan shall be modified to show the appropriate number and spacing of required handicap parking spaces (See Condition A-8).

#### Finding 11

CCC 18.402A.070(C)(5) states, *“Where pedestrian or bicycle routes cross access, maneuvering, parking or loading areas, the crossing must be clearly identified by using striping, elevation changes, speed bumps, a different paving material, and/or other method that effectively alerts drivers, pedestrians and cyclists of the location and nature of the crossing. Striping is discouraged as the only method of identification of pedestrian crossings due to maintenance problems and effectiveness in alerting drivers. When striping is used it must be continuously maintained in perpetuity in an effective manner by the property owner.”* Washington ADA (American Disabilities Act) requires all on site pedestrian paths that cross access, maneuvering, parking or loading areas to consist of contrasting surface materials. Therefore, the final site plan and landscaping plan shall be modified to clearly identify pedestrian routes and their surface materials (See Condition A-9).

#### Finding 12

The applicant has proposed to have binding site plans for some of the proposed buildings. Prior to final site plan approval the applicant will need to provide a survey showing the binding site plan areas. In addition, the applicant shall prepare a covenant running with the land, for review by the county, identifying the land for the binding site plan (See Condition A-10).

### **DEPARTMENT OF ECOLOGY:**

The department of ecology made the following comments on the SEPA determination of non-significance:

#### Federal Permit Coordinator

The applicant should contact the U.S. Army Corps of Engineers in Seattle at (206) 764-3495 regarding additional permit information.

A water quality certification may be required from the Department of Ecology in conjunction with the U.S. Army Corps of Engineers’ permit for this project.

#### Hazardous Waste

To request a voluntary audit, to reduce potential sources of toxic wastes or use of hazardous substances, contact Hugh O’Neill at (360) 407-6354. For Industry-specific toxic waste reduction ideas, see on-line resources at <http://www.ecy.wa.gov/programs/hwtr/p2/ta.htm>.

#### Water Quality/Industrial

Ecology suggests that Business Park managers contact Ms. Marilou Pivirotto at (360) 407-6273 to discuss General Industrial Solid Waste Permit coverage for potential tenants. Requirement of coverage would be required for the individual business – not the park.

[If you have any questions or would like to respond to these comments, please call Ms. Helen Pressley (Federal Permit Coordinator) at (360) 407-6926, Mr. Hugh O'Neill (Hazardous Waste) at (360) 407-6354, Ms. Marilou Pivrotto (Water Quality/Industrial) at (360) 407-6273 or with any other questions regarding this proposal Kari Rokstad (SEPA Coordinator, Southwest Regional Office) at (360) 407-6787.]

## **WETLANDS:**

The applicant is proposing to fill 0.32-acre of a Category 4 wetland, reduce wetland buffers and construct stormwater facilities within the wetland buffers for a large light industrial development. The proposed mitigation includes the creation of 1.1-acres on new wetlands, enhancement of 3.3-acres of wetland, and buffer enhancements.

### Finding 1

The proposed creation of 1.1 acres of scrub/shrub wetlands meets Category 4 Criteria. The proposed impact of 0.32 acres of Category 4 wetland requires 0.4 acres of Category 4 replacement (at a 1.25:1 ratio) per CCC 13.36.420 (2) (b). Therefore, the proposed replacement is adequate.

### Finding 2

The proposed enhancement of 4.4 acre of Category 4 wetlands (existing and created) will not raise the entire wetland to Category 3 without additional tree and shrub plantings. Due to the size of the wetlands, however, the enhancement will effectively result in 1 acre of Category 3 wetland (though the plantings will be distributed throughout the 4.4 acres of wetland) and thus will be adequate to qualify for the 20% buffer reduction in CCC 13.36.415(3)(e).

### Finding 3

The proposed buffer plantings will result in an average Type C buffer, warranting a 15% reduction. With the buffer reduction discussed above in Finding 2 the required buffer on the wetland is 32.5 ft.

### Finding 4

Based on the proposed site plan, it is unclear whether or not the proposed buffer averaging complies with 13.36.415 subsection (1) and (2). However, there is adequate space on the site to provide the required buffer without significant modification of the proposed site plan. The Final Wetland Enhancement/Mitigation Plan must be revised to demonstrate compliance with CCC 13.36.415 (See Condition A-12).

### Finding 5

The proposed stormwater facilities can be allowed within the wetland buffer provided that the design of those facilities complies with the requirements of CCC 13.36.415 (4) (See Condition A-12).

## **HABITAT:**

The county has reviewed this application for compliance with the Habitat Conservation Ordinance (HCO) and visited the site on April 9, 2001. Cold Creek, a type 4 watercourse, was found running through the subject parcels. A DNR type 4 stream requires a 150-foot riparian Habitat Conservation Zone (HCZ) measured

from the ordinary high water mark or to the edge of the existing 100-year floodplain, whichever is greater. Cold Creek is within the Burnt Bridge Creek watershed, and contributes water to downstream reaches that contain many anadromous and resident fish species. However, due to the low habitat functionality currently present on the site, the reduced setbacks, as proposed on the site plan, can comply with the HCO provided the following conditions.

1. The applicant shall plant the reduced riparian HCZ (both sides of creek), excluding stormwater bioswales, with the approved native vegetation mix (See Condition C-1).
2. Willows shall be planted at the toe of the slope along the stream margins, while Douglas fir shall be planted in upland, low gradient areas located at the top of the ditch (See Condition C-2).
3. Willows shall be planted on 6-foot centers, while Douglas fir shall be planted on 20-foot centers. One row of each will be sufficient (See Condition C-3).
4. The applicant shall ensure an 80% survival rate for all re-established native vegetation after three (3) growing seasons (See Condition C-4).
5. The applicant shall not remove native vegetation and/or conduct development activity other than what is approved on the attached site plan. Any further development and/or clearing activity within the HCZ will be subject to additional county review (See Condition C-5).

Provided, the above-mentioned conditions of approval are met, staff finds the proposal substantially complies with the HCO.

#### **TRANSPORTATION CONCURRENCY:**

The applicant's traffic study has estimated the trip generation for the proposed development at 155 new AM peak-hour trips and 160 new weekday PM peak-hour trips at build-out in 2006. The following paragraphs document the comments and recommendations regarding two transportation issues for the proposed development.

##### Finding 1 – Concurrency

In accordance with CCC 12.41 Transportation Concurrency, a traffic study shall be required for proposed developments to assess impacts upon designated transportation corridors and/or intersections of regional significance. The proposed development shall maintain the level of service (LOS) standards established in CCC 12.41.080 for corridors and intersections of regional significance.

##### Site Access

LOS standards are not applicable to site accesses that are not regionally significant; however, the LOS analysis provides information on the potential congestion and safety problems that may occur at the site access. In this situation, the applicant's traffic study reports an acceptable LOS.



### Build-out LOS at County intersections

The intersections and corridors in the study area appear to maintain acceptable LOS. However, based on analysis by County staff, the applicant is advised that full access driveways may be restricted at some point in the future as traffic levels increase.

Staff has determined that the proposed development complies with the County's LOS Standards.

### Finding 2 – Safety

Where applicable, a traffic study shall address the following safety issues:

- traffic signal warrant analysis,
- turn lane warrant analysis,
- accident analysis, and
- any other issues associated with highway safety.

Mitigation for off-site safety deficiencies may only become a condition of approval for developments in accordance with CCC 12.05.230. This code section states that “nothing in this chapter shall be construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Chapter 12.41 CCC or a *significant* traffic or safety hazard *would be caused or materially aggravated* by the proposed development: provided that the developer may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020.”

### Traffic Signal Warrants

Signal warrants are not met at any of the subject intersections analyzed in the applicant's traffic study.

### Turn Lane Warrants

The turn movements at the subject intersections were examined and found to not meet warrants; therefore, mitigation should not be required from the applicant.

### Historical Accident Situation

No intersections have an historical accident rate greater than 1.0 accidents per million entering vehicles (AMEV); therefore, further analysis by the applicant is not necessary.

### Recommendations:

Clark County Transportation Engineering Staff recommends APPROVAL of the proposed development, without conditions, under CCC 12.41, Transportation Concurrency.

## **TRANSPORTATION:**

### Finding 1 – Circulation Plan

At the pre-application conference held in August 2000, staff requested a circulation plan be submitted (see PAC 2000-00141). The applicant submitted a circulation plan (see sheet G of 6). The proposed 47th Avenue improvements will curve to the west as the roadway passes through the BPA right-of-way. The alignment then connects to the existing NE 47th Avenue and NE 68<sup>th</sup> Street north and west of the site. The off-site road will be constructed by future development of the neighboring properties. The future intersection of 47th Avenue with NE 68th Avenue to the north will provide a safe through-route in a north-south direction. The proposed location

avoids a large wetland located to the east of the road alignment and provides a logical connection. The circulation plan and conditions of approval for the road modification request (EVR2001-00004) provide adequate circulation for the subject site including bicycle and pedestrian (See Condition A-13).

#### Finding 2 – Abutting Roads

NE Minnehaha Street is classified as a 4-lane urban minor arterial with raised median or center turn lanes and bike lanes. The standard requires 100-foot right-of-way with a 70-foot curb to curb roadway improvement with 6-foot wide sidewalks (County Road Standards Drawing 6) when the ultimate improvement is constructed. The street was constructed to previous County standards. This project will not be required to provide ½ street construction through the frontage but will be required to construct sidewalk and any adequate tapers. For additional information see Finding 10 Road Modification (See Condition A-14).

#### Finding 3 – Abutting Roads

NE 47<sup>th</sup> Avenue is classified as a Primary Industrial roadway. The standard requires 60 foot right of way with a 42 foot curb to curb roadway improvement with 6 foot sidewalks (County Road standard drawing No. 21) when the ultimate improvement is constructed. This project will be required to provide both full and ½ street construction through the frontage with adequate tapers. For additional information see Finding 10 Road Modification (See Condition A-15).

#### Finding 4 – Abutting Roads

NE 68<sup>th</sup> Street is classified as a Secondary Industrial roadway. The standard requires a 60-foot right-of-way with a 38-foot curb to curb roadway improvement and 6-foot sidewalks (County Road Standard Drawing 22) when the ultimate improvement is constructed. This project will be required to provide ½ street construction through the frontage with adequate tapers (See Condition A-16).

#### Finding 5 – Driveway Access

The applicant's site plan proposes to access the site from NE 47<sup>th</sup> Avenue and NE 68<sup>th</sup> Street via standard concrete driveway approaches, which meet transportation requirements. The applicant has proposed one driveway onto NE Minnehaha Street which is located approximately 440-feet west of the intersection of NE Minnehaha street and NE 47<sup>th</sup> Avenue. This driveway will be restricted to right-in right-out and may require a taper to be constructed. For additional information see Finding 10 Road Modification (See Condition A-17).

#### Finding 6 – Sight Distances

The approval criteria for sight distances are found in sections CCC 12.05A.250. This section establishes minimum sight distances at intersections and driveways (See Condition A-18).

#### Finding 7 – Pedestrian/Bicycle Circulation

Staff has reviewed the need for additional circulation in order to provide safe, convenient, and appropriate levels of access for pedestrians, bicyclists, and persons with disabilities. The proposed site meets the requirements of CCC12.05A.400. Staff finds no additional conditions of approval are required regarding issues of Pedestrian/Bicycle Circulation (See Condition A-13).

#### Finding 8 – Intersection Design Approval

Design criteria are found in Sections 12.05A.340 and Tables 12.05A.120-1 through 12.05A.120-5 governing the design of intersection. All intersections must meet the design standards (See Condition A-19).

#### Finding 9 – Standards For Landscaping

Sections 12.05A.600 and Appendix G of the County Road Standards establish standards for landscaping required for arterials and collectors. NE Minnehaha Street is an arterial and must be landscaped (See Condition A-20).

#### Finding 10 – Road Modifications

The applicant has requested a road modification known as EVR2001-0004. The Road Modification Request was reviewed and approved by the development review manager on December 5, 2001. The applicant then requested in a modification to the road standards a full access driveway entering Minnehaha Street.

The applicant requested five modifications to the Transportation Standards.

1. An alignment for NE 47th Avenue
2. A road classification for NE 47th Avenue of Primary Industrial I Road and 2:1 side slopes.
3. Curb-tight sidewalk along the frontage of NE Minnehaha Street, and not reconstruct existing construction.
4. A driveway entering Minnehaha Street
5. Slope easements of 2:1 along the frontage of NE 68th Street

After review of the staff recommendations for the proposed road modification request the following conditions of approval were placed on the request.

#### Road Modification Request 1

- Approve the proposed alignment of NE 47th Avenue with the condition that an easement for ingress and egress and emergency vehicle accesses through the proposed parking lots to provide minimal public access from NE Minnehaha Street to NE 68th Street. The easement shall also allow for pedestrian and bicycle access. The easement shall automatically extinguish upon the extension of NE 47th Avenue to NE 68th Street.
- Approve the deletion of the western sidewalk for NE 47th Avenue with the condition that the applicant dedicates the full width 60-foot right-of-way.
- Construct the northern portion of NE 47th Avenue (on-site) in a manner that allows future construction (off-site) of the road in a manner that complies with a Primary Industrial I Road.
- Approve the request for 2:1 side slopes with the condition that fill slopes be compacted to an approved density in an approved manner.

#### Road Modification Request 2

- Approve the Primary Industrial I Road classification for NE 47th Avenue.

### Road Modification Request 3

- Approve curb-tight sidewalks abutting the site along Minnehaha Street.

### Road Modification Request 4

- Approve the request for the full-access driveway entering Minnehaha. The proposed driveway is within 15 feet of meeting full intersection access spacing. The applicant should note the County may convert the center left turn in the future to raised median, causing the driveway to be a right-in, right-out only driveway.

### Road Modification Request 5

- Approve the request for 2:1 side slopes for the west side of NE 47<sup>th</sup> Avenue in the area where no sidewalks will be constructed was allowed with the condition that fill slopes be compacted to an approved density in an approved manner.

### Finding 11 – Other Issues

This project has not been reviewed for compliance with portions of the previously cited sections and Sections 12.05A.020, .030, .040, .050, .075, .080, .090, .100, .330, and .365 but will be reviewed at subsequent final engineering phases of the project. Approval of this project based upon this review does not relieve the applicant from compliance with all county transportation regulations unless specifically modified by a Road Modification request completed in accordance with Section 12.05A.400 (See Condition A-21).

### Conclusion:

Based upon the development site characteristics, the proposed transportation plan and the requirements of the County's transportation ordinance, staff concludes that the proposed preliminary transportation plan is feasible subject to Conditions A-13 through A-21.

Recommendation: Approval

## **STORMWATER:**

### Finding 1 – Approval Criteria

Stormwater and Erosion Control Ordinance CCC 13.29, adopted July 28, 2000, apply to development or redevelopment activities that:

- a. Results in 5,000 square feet or more of new impervious area within the rural area
- b. Results in 2,000 square feet or more of new impervious area within the urban area**
- c. The addition or replacement of more than 1,000 square feet of impervious surface for any of the development activities or redevelopment listed in Section 13.29.305 (F) (1) and (2).**
- d. The platting of single-family residential subdivisions in an urban area
- e. If redevelopment results in 5,000 square feet or more of replaced impervious surface, then the provisions of Section 13.29.305 (C) apply.
- f. Drainage projects
- g. All land disturbing activities except those exempted in Section 13.29.210.

The project as proposed will create new impervious area in the amount of 10.15 acres (442,134 square feet) consisting of streets, sidewalks, driveways and roofs. This is more than 2000 square feet of new impervious area and therefore the subject site is subject to the Storm Water Ordinance.

#### Finding 2 – Stormwater Proposal

The site is located in the Burnt Bridge Creek drainage basin. Total site area is 18.94 acres based on applicant information; this includes 4.36 acres of wetlands. The project as planned will construct 6 buildings totaling 174,200 square feet (4.00 acres), paved areas 244,058 square feet (5.60 acres) and NE 47<sup>th</sup> Avenue 23,980 square feet (0.55 acres). County records identify the site as 19.91 acres the difference will need to be clarified with final plans.

#### Finding 3 – General Background, drainage basin, and soil types

Three soil groups exist on the site and are classified as Hillsboro (HiB) with an AASHO rating A-4, Hillsboro (HiC) with an AASHO rating A-4 and Tisch (ThA) with an AASHO rating A-7. The reference for the soil classifications is found in the 1972, "United States Department of Agriculture Soil Conservation Service" published by the soil survey of Clark County, Washington. The hillsboro soils have a soil texture of B and the tisch soils have a texture of D. D type soils are associated with a high ground water table that creates drainage problem. The D type soils for this site are in the area of the wetland.

#### Finding 4 – Soils Study and ground water

Geo Design Inc. completed a soils study for the project in January of 2001. The soil study did not complete any infiltration tests on the site. The soil study did encounter ground water in several of the test pit locations. The soil engineer stated that the observed ground water level during testing approximated 254-feet above mean sea level. The engineer anticipated higher elevations during extended wet periods.

In the wetland an existing 12" overflow pipe has a flow line elevation of 256.52. This pipe provides an overflow from the wetlands to Cold Creek. The pipe flow line elevation would indicate that the surface water conditions in the wetland area must reach elevations higher than the 256.52 and ground water must also reach higher elevations than 254. In that the wetland is a closed basin, this pipe provides a route for basin transfer. The applicant will need to address the issue of basin transfer and whether the existing pipe is vested because of age. The applicant must also follow the requirements listed in the "Puget Sound Manual for Closed Depression Analysis" Section III-1.5. Water elevations in the existing wetland will be required to be maintained at the same elevation or slightly lower than pre-existing conditions for the 2-year, 10-year, 100-year and 100 year/7 day events.

#### Finding 5 – Stormwater proposal

The storm water systems for the subject site are to be privately maintained. The storm water system would accommodate storm flows from the proposed public road improvements on NE 47<sup>th</sup> Avenue, NE Minnehaha Street, NE 68<sup>th</sup> Street and the subject site. Water quality is to be accomplished in seven (7) separate water quality ponds (RD.11). The proposed water quality method RD.11 is an extended detention dry pond (see page III-4-4-50 of the "Puget Sound Manual"). This method of water quality is not allowed by the ordinance (see 13.29.305 (c)). If the storm water

facilities have vertical sides of more than 3-feet the facility must be fenced (see CCC 13.29.330).

After water quality treatment the site proposes to discharge storm flows into the wetland area to provide detention. The wetland is part of a closed depression with no natural drainage outlet. The existing contributing areas to the closed depression area rely on the wetland for retention, infiltration and evaporation for disposal. The site is not designated as being within a flood zone identified by FEMA. The wetland has an existing 12" overflow pipe with a flow line elevation of 256.52. This pipe provides an overflow from the wetlands to Cold Creek. The pipe is in an easement conveyed to Clark County Drainage District #12 in December 1951. The easement also covers the Cold Creek ditch and the width of both easements is not to exceed 40-feet in total width. The easement and pipe are proposed to be built over by building "B". The applicant proposes a realignment of the existing pipe outside the building area. The pipe is to provide control of flow and detention prior to overflow to Cold Creek and the volume of the existing wetland would be increased to accommodate required additional detention. The wetland application states the detention volume will be accommodated for by excavating around the perimeter of the wetland entirely within the buffer area.

This closed depression (wetlands) extends onto adjacent parcel 156431-000 and the proposal cannot increase stormwater elevations on adjacent properties, which is not allowed by the ordinance:

CCC13.29.310 (a) (5) Quantity control

*"no reduction of existing conveyance capacity and no net loss of existing storage capacity for the one hundred (100) year storm is permitted in special flood hazard areas as defined in subsection B of Section 18.327.045. This requirement shall also apply to all areas within the limits of the existing one hundred (100) year floodplain, as determined by hydrologic/hydraulic computations in accordance with this chapter, for all streams and man-made channels within Clark County.*

*6. Where provisions of this chapter conflict with the BMP manual or other cited design guidance, this chapter shall take precedence.*

*7. No development within an urban growth area shall be allowed to materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots. This requirement shall not apply to existing drainage ways."*

The applicant proposes to collect roof runoff and direct discharge into Cold Creek or the wetland area. Roof down spouts systems may not directly discharge water without employing additional source control BMP's if the roof area is near major sources of air pollution. The wetland has an existing 12" overflow pipe with a flow line elevation of 256.52. This pipe provides an overflow from the wetlands to Cold Creek. The pipe is in an easement conveyed to Clark County Drainage District #12 in December 1951. The easement also covers the Cold Creek ditch and the width of both easements is not to exceed 40 feet in total width.

Conclusion:

Based upon the following:

- development site characteristics, the proposed stormwater plan and preliminary storm water design
- alternate designs are possible on the existing site.

Further the requirements of the County's stormwater ordinance can be met with the final design and final storm water report, staff concludes that the proposed preliminary stormwater plan is feasible.

Recommendation: Approval (See Condition A-22 and B-1)

**EROSION CONTROL:**

The erosion control ordinance is intended to minimize the potential for erosion and a plan is required for all projects meeting the applicability criteria listed in CCC 13.29.200. Therefore the subject site is subject to the erosion control ordinance.

Finding 1

Erosion and sedimentation from land disturbing activities detrimentally affects the public health, safety, and general welfare in the following ways:

- increases the risk of flooding because streams and storm water facilities that receive excessive sediment have a reduced capacity to convey water;
- damages fisheries when siltation clogs spawning gravel and when excessive turbidity impairs the feeding ability of aquatic animals;
- increases public expenditures for maintenance of storm water facilities that receive excessive amounts of sediment;
- damages adjacent properties, including public right-of-ways, when sediment is deposited on these properties;
- promotes transport of nutrients to lakes causing algal blooms and oxygen depletion.

Conclusion:

Based upon the site's characteristics, the proposed site plan, and the proposed preliminary storm water plan a final erosion plan for the site is feasible. Staff concludes that the proposed preliminary site plan is feasible subject to Condition B-2.

Recommendation: Approval

**FIRE PROTECTION:**

Finding 1

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. No condition of approval is warranted.

Finding 2

Fire flow in the amount of 2,750 gallons per minute supplied for 2 hours duration is required for this application. Prior to obtaining building permits, submit proof from the water purveyor indicating that the required fire flow is available at the site. Water

mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to the commencement of combustible building construction. Fire flow is based on 11,152 Sq Ft Type V-N construction (See Condition B-3 and B-4).

#### Finding 3

Fire hydrants are required for this application. Either the indicated number or the spacing of the fire hydrants is inadequate. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 300 feet and such that no portion of the building exterior is in excess of 300 feet from a fire hydrant as measured along the approved fire apparatus access roads. Fire hydrant spacing exceeds 300 feet along the north side of building "A", along the fire department access route on the west side of building "B" and along the fire department access route along the south side of buildings "B", "C" and "D" (See Condition A-23).

#### Finding 4

Fire apparatus access is required for this application. Fire apparatus access roads must have an unobstructed width of not less than 20 feet, an unobstructed vertical clearance of not less than 13.5 feet, and an all weather driving surface capable of supporting the imposed loads of fire apparatus. The roadways and maneuvering areas as indicated in the application adequately provide required fire apparatus access. No condition of approval is warranted.

#### Finding 5

Approved fire apparatus turnarounds are required for this project. The indicated provisions for turning around fire apparatus at the north and south ends of building "D" are not adequate. Dead-end fire department access roads over 150 feet in length require an approved turnaround (See Condition A-24).

#### Finding 6

An automatic fire sprinkler is required at the time of construction for buildings larger than 12,000 sq ft. Such systems require separate reviews, permits and approvals issued by the fire marshal's office (See Condition B-5).

#### Finding 7

An approved fire alarm system is required at the time of construction for buildings larger than 5,000 sq ft that are not provided with an automatic fire sprinkler system. Such systems require separate reviews, permits and approvals issued by the fire marshal's office (See Condition B-6).

#### Finding 8

Unless waived by the fire district chief, fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection, and a six-foot clear space shall be provided and maintained completely around every fire hydrant (See Condition A-25).

#### Finding 9

The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact fire district 5 at (360) 696-8166 to arrange for location approval (See Condition A-26).



#### Finding 10

Any buildings in which the storage height may exceed 12-feet, may be subject to conditions from the Uniform Fire Code section 81 covering high piled storage (See Condition B-7).

#### Finding 11

Buildings provided with automatic fire sprinkler systems shall be provided with a minimum of two fire hydrants. One fire hydrant shall be within 100 feet of approved fire department connections to the sprinkler systems (See Condition A-27).

#### Finding 12

Fire department connections shall be located a distance away from the building equal to the height of the building (See Condition A-28).

### **HEALTH DISTRICT:**

#### Criteria:

*CCC 13.40A (Water Supply), establishes that the provision of publicly managed water system to serve new developments in the urbanized areas (of the county) is necessary. WAC 173-160-415, 246-290 and RCW 58.17, provide state guidelines for potable water provision to support new development in the county.*

#### Finding 1

The Southwest Washington Health District found no evidence of a well on the site. However, if a well is discovered during site development a licensed well driller (per WAC 173-160-415) must properly decommission the well, with written verification submitted to the SWWHD prior to final site plan approval. The driller must contact the SWWHD prior to decommissioning any well. The location of the decommissioned well, if any, must be shown on the final site plan (See Condition S-15).

#### Finding 2

The applicant submitted a utility review for water from the City of Vancouver, indicating that public water is available to serve this development. The applicant will need to effect and pay for improvements required by the City of Vancouver, in order to connect each new building to public water (See Condition C-6).

#### Criteria:

*CCC 13.08A (Sewage Treatment), WAC 246-272, and RCW 58.17, enhance public health by providing policies and guidelines regarding when connection to public sewer is required or prohibited. All new developments in the urban area are required to connect to public sewer unless a waiver is granted for small projects in accordance with the criteria in this section. The Southwest Washington Health District ensures that the system complies with the minimum standard established by the State.*

#### Finding 3

The Southwest Washington Health District didn't find any evidence of an existing septic system on the site. However, if an on-site septic system is found written verification that the system has been properly abandoned must be submitted to the SWWHD prior to final site plan approval. Proper abandonment requires tank

pumping by a licensed pumper, breaking the tank lid, and filling the cavity with compacted soil. The location of the abandoned tank, if any, must be shown on the final site plan (See Condition S-15).

#### Finding 4

The applicant submitted a utility review from the City of Vancouver, indicating that public sewer is available to serve the subject site. The applicant will need to effect and pay for improvements required by the City of Vancouver, in order to connect each new building to public sewer (See Condition C-7).

#### **IMPACT FEES:**

The proposed Minnehaha Business Park will produce impacts on traffic, and will be subject to Traffic (TIF) impact fees. The site is within the Orchards Transportation Subarea. The total impact fee due for ALL buildings shall be \$152,455.32.

Following is a breakdown of impact fees per building.

<b>Building</b>	<b>Size</b>	<b>Use Calculated</b>	<b>Approx. TIF Amount</b>
Building A	34,200 sq ft	Industrial Park	\$30,349.08
Building B	33,600 sq ft	Industrial Park	\$29,816.64
Building C	42,000 sq ft	Industrial Park	\$37,270.80
Building D	44,800 sq ft	Industrial Park	\$39,755.52
Building E	6,048 sq ft	Industrial Park	\$5,368.77
Building F	11,152 sq ft	Industrial Park	\$9,894.51

If a building permit application is made more than three years following the date of preliminary site plan approval, the impact fees will be recalculated according to the then current ordinance rate (See Condition B-8).

### **SEPA Determination and Decision**

The likely SEPA Determination of Non-Significance (DNS) in the Notice of Development Review Application issued on April 13, 2001 is hereby final.

Based upon this review, the Development Services Manager hereby **APPROVES** this request, subject to the following:

### **Conditions of Approval**

#### **Conditions Unique to this Development**

**Conditions that must be met prior to Final Site Plan approval:**

- A-1 Place a note on the face of the final site plan stating any “commercial and/or service uses shall require at least a Type I Site Plan Review” (See Land Use Finding 1).

- A-2 Place a note on the face of the final site plan stating that all uses shall comply with the maximum permissible noise levels as determined by WAC Chapter 173-60, as amended (See Land Use Finding 2).
- A-3 Place a note on the face of the final site plan that states "Warehouse/manufacturing and associated offices are allowed through Tenant Improvement permits. However, if any of these uses are considered "Major Odor Sources" as listed in CCC 18.317A.090(C) a Type I Site Plan Review will be required, at a minimum, to ensure compliance with SWAPCA regulations and the best available control technology for odor control (See Land Use Finding 3).
- A-4 Note on the face of the final site plan that the venting of any odors, vapors, smoke, cinders, dust, gas, and fumes shall be at least ten (10) feet above finished grade, and directed away from residential uses within fifty (50) feet of the vent (See Land Use Finding 4).
- A-5 Provide a lighting plan in compliance with CCC 18.317A.090(D) and CCC 18.402A.060(A)(7) (See Land Use Finding 5).
- A-6 Should any future tenant wish to utilize an outside storage area a separate Type I Site Plan Review, at least, will be required (See Land Use Finding 6).
- A-7 Revise the final site plan and landscape plan to show the appropriate number and size of loading berths for all buildings (See Land Use Finding 9).
- A-8 Revise the final site plan and landscape plan to show the appropriate number and spacing of required handicap parking spaces (See Land Use Finding 10).
- A-9 Revise the final site plan and landscape plan to clearly identify the pedestrian routes and there appropriate surfacing materials (See Land Use Finding 11).
- A-10 Provide a survey showing the binding site plan areas and prepare a covenant running with the land, for review by the county, identifying the land for the binding site plan (See Land Use Finding 12).
- A-11 Place the following note on the face of the final site plan:
- "The Clark County Wetland Protection Ordinance (Clark County Code Chapter 13.36) requires wetlands and wetland buffers to be maintained in a natural state. Refer to Conservation Covenant [REF#] recorded with the Clark County Auditor for limitations on the maintenance and use of the wetland and wetland buffer areas identified on the face of this site plan."
- A-12 The Final Enhancement/Mitigation Plan shall be revised to clearly demonstrate that the wetland buffers on all existing and created wetlands complies with CCC 13.36.415 (See Wetlands Finding 4 and 5).
- A-13 The applicant shall not prevent emergency vehicle access thorough the proposed subject site's parking lots. This will provide emergency vehicle access from NE Minnehaha Street to NE 68th Street. The emergency vehicle access will not be

needed upon the extension of NE 47th Avenue to NE 68th Street (See Transportation Finding 1).

- A-14 NE Minnehaha Street the applicant shall dedicate 50-foot half-width right-of-way; construction was completed to previous standards. Tapers and intersections will require right of way dedication greater than 50 foot and construction (See Transportation Finding 2).
- A-15 NE 47<sup>th</sup> Avenue the applicant shall dedicate a right of way width in a width to be determined by final engineering plans adequate to encumber the west curb. For safety purposes guardrail may be required. Construction of roadway shall be in accordance with table 12.05.120-5 2 primary industrial roadway along project frontage, with adequate tapers. Tapers and intersections will require right of way dedication greater than 60 foot (See Transportation Finding 3).
- A-16 NE 68<sup>th</sup> Street the applicant shall dedicate 30 foot right-of-way (up to 5 foot of the 30 foot right of way can be in easement) and construct ½ width roadway according to table 12.05.120-5 2 secondary industrial roadway along project frontage, with adequate tapers. Tapers and intersections will require right of way dedication greater than 60 foot (See Transportation Finding 4).
- A-17 Driveways to be constructed of concrete and meet the requirements of CCC12.05A.210. The proposed driveway onto NE Minnehaha Street can be a full access driveway unless in the future the County creates raised median causing the driveway to be limited to a right in right out. Applicant shall provide additional review by a Traffic Engineer to review the need for tapers. Tapers and intersections will require right of way dedication greater than 60 foot (See Transportation Finding 5).
- A-18 The subject site shall meet all requirements for minimum sight distances at intersections and driveways found in sections 12.05A.250 (See Transportation Finding 6).
- A-19 The subject site shall construct the intersection of NE Minnehaha Street and NE 47<sup>th</sup> Avenue. The construction and design shall meet the requirements as specified in *Design* criteria are found in Sections 12.05A.340 and Tables 12.05A.120-1 through 12.05A.120-5 (See Transportation Finding 8).
- A-20 The frontage adjacent to NE Minnehaha Street shall be landscaped in accordance with sections 12.05A.600 and appendix G (See Transportation Finding 9).
- A-21 Comply with CCC 12.05A of the Road Standards.
- A-22 Stormwater Requirements (See Stormwater Findings)
- A final stormwater plan shall be prepared for this project which provides final engineering design and construction drawings. The final stormwater plan shall be approved prior to beginning construction (CCC 13.29.530). The plan must be prepared, by a professional civil engineer registered in the State of

Washington and conform to the content requirements as specified. The final plan shall also meet all requirement of CCC13.29.

- The applicant shall provide proof from BPA for all proposed construction the BPA right of way (i.e. roadway, utilities and storm facilities).
- The applicant shall obtain approval to vacate and modify portions of the existing easement conveyed to Drainage District No. 12 Clark County in December 1951 which encumbers the Cold Creek ditch and the 12 inch pipe with an easements 40 feet in total width.

The applicant shall follow the requirements listed in Puget Sound Manuel for Closed Depression Analysis Section III-1.5. Water elevations in the existing wetland must to be maintained at the same elevation or slightly lower than pre-existing conditions for the 2-year, 10-year, 100-year and 100 year/7 day events. CCC13.29.310 (a) (5) Quantity control

- A-23 Revise the final site plan and landscape plan to show the required number and proper spacing of fire hydrants (See Fire Protection Finding 3).
- A-24 Revise the final site plan and landscape plan to show the appropriate fire apparatus turnarounds (See Fire Protection Finding 5).
- A-25 Unless waived by the fire district chief, fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection, and a six-foot clear space shall be provided and maintained completely around every fire hydrant (See Fire Protection Finding 8).
- A-26 Contact fire district 5 at (360) 696-8166 to arrange for location approval for all fire hydrants (See Fire Protection Finding 9).
- A-27 Revised the final site plan and landscape plan to show buildings which are provided with automatic fire sprinkler systems are providing a minimum of two fire hydrants with one fire hydrant within 100 feet of the approved fire department connection to the sprinkler systems. Fire department connections shall be located a distance away from the building equal to the height of the building (See Fire Protection Findings 11 and 12).
- A-28 Locate fire department connections a distance away from the building equal to the height of the building (See Fire Protection Finding 12).

**Conditions that must be met prior to issuance of Building Permits:**

**B-1 Stormwater Requirements (See Stormwater Findings)**

- The applicant shall obtain a storm water exception for the existing basin transfer from the wetland area via the existing 12" pipe, or provide proof that the 12" pipe is vested because of age. A storm exception requires a public hearing see CCC 13.29.210 B must be approved prior to permit approval and construction.

- The applicant shall obtain a storm water variance for the use of water quality BMP RD.11 or utilize a BMP approved by the ordinance. A storm exception requires a public hearing see CCC 13.29.210 B and must be approved prior to permit approval and construction.
- All the lots or buildings in the urban growth area must be designed to provide positive drainage from the bottom of footings to an approved storm water conveyance system CCC 13.29.310 (a)(8).
- A final grading plan, designed in accordance with chapter 33, (excavation and grading of the 1997 uniform building code) shall be submitted by the applicant's engineer and approved by the director prior to construction.
- Record plans which accurately represent the development site as constructed shall be provided to Clark county prior to the issuance of building permits for single-family residences and within 60 days following completion of construction of other project types (i.e. commercial, industrial etc.). Refer to CCC 13.29.363 for additional details regarding record plan requirements.

#### B-2 Erosion Control Requirements (See Erosion Control Findings)

- A final erosion control plan, designed in accordance with CCC 13.29.400, shall be submitted and approved by the director prior to construction. The plan shall also cover construction on individual lots or site plan. A copy of the erosion control plan shall be submitted to the chief building official prior to final platting or building permit (i.e. commercial & industrial).
- Prior to construction of any infiltration system, sediment control facilities shall be installed that will prevent any silt from entering the infiltration system during it's construction and afterward until all disturbed areas within the contributing areas of the project are stabilized and potential erosion no longer exists.
- No erosion control facility shall be removed without prior approval of the design engineer, being submitted in writing to the county inspector. The design engineer shall assure that no silt is likely to enter the system before authorization is provided to remove erosion/siltation control facilities.

B-3 Submit proof from the water purveyor indicating that the required fire flow is available at the site (See Fire Protection Finding 2).

B-4 All water mains supplying fire flow and fire hydrants shall be installed, approved and operational (See Fire Protection Finding 2).

B-5 Provide automatic fire sprinklers in any building over 12,000 sq ft. Separate reviews, permits and approvals by the fire marshal's office is required (See Fire Protection Finding 6).

B-6 Provide fire alarm systems in any building over 5,000 sq ft that does not have a automatic fire sprinkler system (See Fire Protection Finding 7).

- B-7 For any buildings which the storage height may exceed 12-feet, provide evidence of compliance with the Uniform Fire Code section 81 covering high piled storage (See Fire Protection Finding 10).
- B-8 Pay the appropriate traffic impact fee for each building based on the following table (See Impact Fees Finding 1):

Building	Size	Use Calculated	Approx. TIF Amount
Building A	34,200 sq ft	Industrial Park	\$30,349.08
Building B	33,600 sq ft	Industrial Park	\$29,816.64
Building C	42,000 sq ft	Industrial Park	\$37,270.80
Building D	44,800 sq ft	Industrial Park	\$39,755.52
Building E	6,048 sq ft	Industrial Park	\$5,368.77
Building F	11,152 sq ft	Industrial Park	\$9,894.51

If a building permit application is made more than three years following the date of preliminary site plan approval, the impact fees will be recalculated according to the then current ordinance rate.

**Conditions that must be met prior to issuance of Occupancy Permits:**

- C-1 The applicant shall plant the reduced riparian HCZ (both sides of creek), excluding stormwater bioswales, with the approved native vegetation mix (See Habitat #1).
- C-2 Willows shall be planted at the toe of the slope along the stream margins, while Douglas fir shall be planted in upland, low gradient areas located at the top of the ditch (See Habitat #2).
- C-3 Willows shall be planted on 6-foot centers, while Douglas fir shall be planted on 20-foot centers. One row of each will be sufficient (See Habitat #3).
- C-4 The applicant shall ensure an 80% survival rate for all re-established native vegetation after three (3) growing seasons (See Habitat #4).
- C-5 The applicant shall not remove native vegetation and/or conduct development activity other than what is approved on the attached site plan. Any further development and/or clearing activity within the HCZ will be subject to additional county review (See Habitat #5).
- C-6 The applicant shall effect and pay for improvements required by the City of Vancouver in order to connect each new building to public water (See Health District Finding 2).
- C-7 The applicant shall effect and pay for all improvements required by the City of Vancouver in order to connect each new building to public sewer (See Health District Finding 4).

## **Standard Conditions**

This development proposal shall conform to all applicable sections of the Clark County Code. The following conditions shall also apply:

### **General:**

- S-1 Within 5 years of preliminary plan approval, a Fully Complete application for a building permit shall be submitted.

### **Pre-Construction Conference:**

- S-2 Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County.

### **Erosion Control:**

- S-3 Prior to construction, the applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 13.29.
- S-4 Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.
- S-5 Erosion control facilities shall **not** be removed without County approval.

### **Excavation and Grading:**

- S-6 Excavation/grading shall be performed in compliance with Appendix Chapter 33 of the Uniform Building Code (UBC).
- S-7 Site excavation/grading shall be accomplished, and drainage facilities shall be provided, in order to ensure that building foundations and footing elevations can comply with CCC 14.04.252.

### **Stormwater:**

- S-8 Prior to construction, the applicant shall submit and obtain County approval of a final stormwater plan designed in conformance to CCC 13.29.

### **Transportation:**

- S-9 Prior to construction, the applicant shall submit and obtain County approval of a final transportation plan designed in conformance to CCC 12.05A.

### **Wetlands and Buffers:**

- S-10 Prior to Final Site Plan approval an approved Final Wetland Permit shall be required.
- S-11 Prior to Final Site Plan approval a conservation covenant shall be recorded or provided in a form approved by the prosecuting attorney as adequate to incorporate the other restrictions of CCC 13.36 and to give notice of the requirement to obtain a wetland permit prior to engaging in regulated activities within a wetland or its buffer.



- S-12 The face of the Final Site Plan shall include the boundary of the wetland buffers and a reference to the separately recorded conservation covenant provided for in Condition W-4, above (See required Final Site Plan note Condition A-14).
- S-13 Prior to construction the outer extent of all wetland buffers shall be clearly marked in the field and such markings shall be maintained until construction is completed.
- S-14 Prior to Occupancy, permanent physical demarcation along the upland boundary of the wetland buffer area shall be installed and thereafter maintained per the guidelines CCC 13.36.250(2).

**Health District:**

- S-15 Applicant shall comply with the requirements of the Southwest Washington Health District (SWWHD).
- S-16 For water and sewerage systems provided by a purveyor, the applicant may be required to provide evidence of an adequate water supply and/or an adequate sewerage collection and treatment system. Such evidence (normally in the form of a letter from the purveyor) shall be submitted to and approved by the SWWHD prior to final plat approval.

**Note: The Development Services Manager reserves the right to develop a complete written report and findings of fact regarding this decision, if appealed.**

An **appeal** of any aspect of this decision, including the SEPA determination and any required mitigation measures, may be appealed only by a party of record (i.e., the applicant and those individuals who submitted written testimony to the Planning Director within the designated comment period). The appeal shall be filed with the Department of Community Development within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record. This decision was mailed on (OAI to complete) \_\_\_\_\_, 2002. Therefore any appeal must be received in this office by 4:30 PM, (OAI to complete) \_\_\_\_\_, 2002.

**APPEAL FILING DEADLINE**

**Date:** (OAI to complete) \_\_\_\_\_

Any appeal of the final land use decisions shall be in writing and contain the following information:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Clark County Code, Section 18.600.100 (A). If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;

3. The specific aspect(s) of the decision and/or SEPA issue being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied on to prove the error; and,
4. A check in the amount of \$642.28 (made payable to the Department of Community Development).

The appeal request and fee shall be submitted to the Department of Community Development, Customer Service Center, between 7:30 a.m. and 4:30 p.m. Monday through Friday, at the address listed above.

**Attachment:**

- Copy of Proposed Preliminary Plan

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A copy of the approved preliminary plan, SEPA Checklist and Clark County Code are available for review at:

**Department of Community Development  
1408 Franklin Street  
P.O. Box 9810  
Vancouver, WA 98666-9810  
Phone: (360) 397-2375; Fax: (360) 397-2011**

A copy of the Clark County Code is also available on our Web Page at:  
<http://www.co.clark.wa.us>